

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**24 CFR Parts 3282 and 3283**

[Docket No. FR-4025-F-01]

RIN 2502-AG70

Office of the Assistant Secretary for Housing-Federal Housing Commissioner; Federal Manufactured Housing Program; Streamlining Final Rule**AGENCY:** Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.**ACTION:** Final rule.

SUMMARY: This final rule amends HUD's regulations for the program operated under the National Manufactured Housing Construction and Safety Standards Act of 1974. In an effort to comply with the President's regulatory reform initiatives, this rule will streamline the regulations in parts 3282 and 3283, concerning manufactured housing, by eliminating provisions that are repetitive of statutes, provide only guidance, or are otherwise unnecessary. This final rule will make the program regulations clearer and more concise.

EFFECTIVE DATE: April 15, 1996.

FOR FURTHER INFORMATION CONTACT: David R. Williamson, Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, L'Enfant Plaza North, Suite 3214, Washington, D.C. (mailing address: Room B-133, HUD Building, Washington, D.C. 20410-8000); telephone number: (202) 755-7420 (this is not a toll-free number). For hearing- and speech-impaired persons, this number may be accessed via TDD by calling the Federal Information Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:**I. Background**

On March 4, 1995, President Clinton issued a memorandum to all Federal departments and agencies regarding regulatory reinvention. In response to this memorandum, the Department of Housing and Urban Development conducted a page-by-page review of its regulations to determine which can be eliminated, consolidated, or otherwise improved. HUD has determined that the regulations concerning manufactured housing can be improved and streamlined by eliminating unnecessary provisions.

Several provisions in the regulations repeat statutory language from the National Manufactured Housing

Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 *et seq.* It is unnecessary to maintain statutory requirements in the Code of Federal Regulations (CFR), since those requirements are otherwise fully accessible and binding. Furthermore, if regulations contain statutory language, HUD must amend the regulations whenever Congress amends the statute. Therefore, this final rule will remove repetitious statutory language and replace it with a citation to the specific statutory section for easy reference.

Other provisions in the regulations apply to more than one of the Department's programs, and therefore these provisions had been repeated in various program regulations. The Department has been consolidating some of these repetitious provisions as part of its regulatory reinvention efforts. Therefore, this final rule maintains only appropriate cross-references to consolidated provisions, for the reader's convenience.

Some provisions in the Manufactured Home Procedural and Enforcement regulations (part 3282) are now obsolete. For instance, this rule removes obsolete regulations regarding Transition Certifications in subpart E. The Transition Certification applied to homes in production when the Manufactured Home Construction and Safety Standards first went into effect on June 15, 1976. Other subparts of the regulations contain similar provisions relating to the start-up of the Federal program for manufactured housing and are now also obsolete and unnecessary. Therefore, HUD can remove the obsolete regulations in subpart E, as well as other subparts.

Lastly, some provisions in the regulations are not regulatory requirements. For example, 24 CFR part 3283 contains guidance or explanations relating to the manufactured home consumer manual requirements. Section 617 of the Act, 42 U.S.C. 5416, requires that the Secretary develop guidelines for a consumer's manual to be provided to manufactured home purchasers by the manufacturer. The Act further provides that these manuals should identify and explain the purchasers' responsibilities for operation, maintenance, and repair of their manufactured homes. Except for the requirement that the manufacturer provide a manual with each manufactured home produced, the guidance provided in 24 CFR part 3283 is nonmandatory. While this information is very helpful to recipients, HUD will more appropriately provide this information through handbook guidance or other materials, rather than maintain it in the CFR. Accordingly, the

mandatory sections of part 3283 will be moved to part 3282 and § 3282.207. The guidance provided by part 3283 will be issued simultaneously with this rule as an uncodified appendix and will also be published and made available in a future handbook.

Justification for Final Rulemaking

HUD generally publishes a rule for public comment before issuing a rule for effect, in accordance with its own regulations on rulemaking in 24 CFR part 10. However, part 10 provides for exceptions to the general rule if the agency finds good cause to omit advance notice and public participation. The good cause requirement is satisfied when prior public procedure is "impracticable, unnecessary, or contrary to the public interest" (24 CFR 10.1). HUD finds that good cause exists to publish this rule for effect without first soliciting public comment. This rule merely removes unnecessary regulatory provisions and does not establish or affect substantive policy. Therefore, prior public comment is unnecessary.

Section-by-Section Analysis of Changes

The Secretary has determined that the following changes should be made to the Manufactured Home Procedural and Enforcement Regulations:

(1) Section 3282.1—This section has already been revised to add a reference to 24 CFR part 3800, which outlines procedures for investigations and investigational proceedings (see FR-4026, a reinvention rule published shortly before this rule).

(2) Section 3282.2—This section has been removed. Delegations of authority are effective when signed by the Secretary of HUD, and HUD publishes all delegations of authority in the Federal Register. Accordingly, the delegation of authority does not need to be contained in the rule.

(3) Sections 3282.3-3282.5—These sections have been removed because they relate to the composition of the program office and are unnecessary.

(4) Section 3282.7(11)—This section defined the term "Title I," which is later used in reference to procedures necessary to implement the requirements of the regulations when they first became effective in 1976, and are no longer in effect.

(5) Section 3282.9(a)—This section has been removed and a reference has been made to identical provisions in 24 CFR 26 relating to computation of time.

(6) Section 3282.53—This section, relating to section 612(e) of the Act and the registering agents by foreign manufacturers, has been revised because it is repetitious of the statutory

provisions. The form of the designation of agent, however, has been retained.

(7) Section 3282.54(d)—This section regarding availability of cost information submitted in opposition to an action by the Secretary under section 607(a) of the Act has been removed as repetitious of the statutory provisions.

(8) Subpart C, §§ 3282.101–3282.110, and 3282.112—This subpart is repetitious of the Department's rulemaking provisions in 24 CFR part 10 and the Act. Accordingly, language has been removed in several of these sections. Where the requirements provided in these sections differ from 24 CFR part 10, the exception is noted. In addition, § 3282.113(b), relating to resolutions of disputes with DAPIAs, had been mistakenly placed in § 3282.113, Interpretative Bulletins; the provisions are repeated in § 3282.151(b)(2) and, therefore, are removed as duplicative.

(9) Section 3282.151(a)—The provisions of this section specifying the situation in which a presentation of views is appropriate under the Act have been removed because they merely repeat the statute.

(10) Sections 3282.151(c) and 3282.155—The language referring to investigations and investigational hearings has been removed because regulations pertaining to these procedures have been moved to a new part 3800 (see FR–4026, a reinvention rule published shortly before this rule). The new part 3800 covers such procedures relating to the Department's investigations under the Act, the Real Estate Settlement Procedures Act and the Interstate Land Sales Full Disclosure Act. Because the Department's procedures in investigations under these statutes are similar, it is unnecessary to repeat those procedures for each program.

(11) Section 3282.207— This section has been removed because it relates to Transition Certification of manufactured homes already in production on the effective date of the Standards in 1976 and is thus no longer necessary. In place of the transition certification language, the Department will move the mandatory sections of part 3283 (Consumer Manual) to this section.

In addition, references to transition certification and other procedures that were once necessary to implement the requirements of the regulations when they first became effective in 1976 have been removed, including all or portions of the following sections: 3282.7(11), 3282.11(b), 3282.205(a), 3282.205(c), 3282.205(d), 3282.207, 3282.302(e), 3282.352(c), 3282.353(a)(8), 3282.353(f), 3282.355(b), 3282.361(d),

3282.362(b)(5), 3282.362(c)(2)(i)(B), 3282.362(c)(2)(i)(C), and 3282.362(c)(2)(ii). These references are obsolete and may be removed without affecting the present regulation of manufactured housing.

IV. Other Matters

Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed and approved this final rule, and in so doing certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule merely streamlines regulations by removing unnecessary provisions. The rule will have no adverse or disproportionate economic impact on small businesses.

Environmental Impact

This rulemaking does not have an environmental impact. This rulemaking simply amends an existing regulation by consolidating and streamlining provisions and does not alter the environmental effect of the regulations being amended. A Finding of No Significant Impact with respect to the environment was made in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) at the time of development of regulations implementing the National Manufactured Housing Construction and Safety Standards Act of 1974. That finding remains applicable to this rule, and is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC.

Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this rule will not have substantial direct effects on States or their political subdivisions, or the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government. No programmatic or policy changes will result from this rule that would affect the relationship between the Federal government and State and local governments.

Executive Order 12606, The Family

The General Counsel, as the Designated Official under Executive

Order 12606, The Family, has determined that this rule will not have the potential for significant impact on family formation, maintenance, or general well-being, and thus is not subject to review under the Order. No significant change in existing HUD policies or programs will result from promulgation of this rule.

List of Subjects

24 CFR Part 3282

Administrative practice and procedure, Consumer protection, Intergovernmental relations, Investigations, Manufactured homes, Reporting and recordkeeping requirements, Warranties.

24 CFR Part 3283

Consumer protection, Manufactured homes, Warranties.

For the reasons stated in the preamble, under the authority of 42 U.S.C. 3535(d), in title 24 of the Code of Federal Regulations, part 3282 is amended and part 3283 is removed, as follows:

PART 3282—MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS

1. The authority citation for part 3282 continues to read as follows:

Authority: 42 U.S.C. 3535(d) and 5424.

Subpart A—General

§§ 3282.2, 3282.3, 3282.4, and 3282.5 [Removed]

2. Sections 3282.2, 3282.3, 3282.4, and 3282.5 are removed.

§ 3282.7(11) [Removed and Reserved]

3. Section 3282.7(11) is removed and reserved.

4. Section 3282.9 is amended by revising paragraph (a) to read as follows:

§ 3282.9 Computation of time.

(a) In computing any period of time prescribed by the regulations in this part, refer to § 26.16(a) of this title.

* * * * *

5. Section 3282.11 is amended by revising paragraph (b) to read as follows:

§ 3282.11 Preemption and reciprocity.

* * * * *

(b) No State may require, as a condition of entry into or sale in the State, a manufactured home certified (by the application of the label required by § 3282.362(c)(2)(i)) as in conformance with the Federal standards to be subject to State inspection to determine compliance with any standard covering any aspect of the manufactured home covered by the Federal standards. Nor

may any State require that a State label be placed on the manufactured home certifying conformance to the Federal standard or an identical standard. Certain actions that States are permitted to take are set out in § 3282.303.

* * * * *

Subpart B—Formal Procedures

6. Section 3282.53 is revised to read as follows:

§ 3282.53 Service of process on foreign manufacturers and importers.

The designation of an agent required by section 612(e) of the Act, 42 U.S.C. § 5411(e), shall be in writing, dated, and signed by the manufacturer and the designated agent.

§ 3282.54 [Amended]

7. Section 3282.54 is amended by removing paragraph (d) and redesignating paragraph (e) as paragraph (d).

Subpart C—Rules and Rulemaking Procedures

8. Section 3282.101 is revised to read as follows:

§ 3282.101 Generally.

Procedures that apply to the formulation, issuance, amendment, and revocation of rules pursuant to the Act are governed by the Act, the Administrative Procedure Act, 5 U.S.C. 551 et seq., and part 10 of this title, except that the Secretary shall respond to a petition for rulemaking by an interested party within 180 days of receipt of the petition.

§§ 3282.102 through 3282.110 and § 3282.112 [Removed]

9. Sections 3282.102 through 3282.110 and 3282.112 are removed.

10. Section 3282.113 is revised to read as follows:

§ 3282.113 Interpretative bulletins.

When appropriate, the Secretary shall issue interpretative bulletins interpreting the standards under the authority of § 3280.9 of this chapter or interpreting the provisions of this part. Issuance of interpretative bulletins shall be treated as rulemaking under this subpart C unless the Secretary deems such treatment not to be in the public interest and the interpretation is not otherwise required to be treated as rulemaking. All interpretative bulletins shall be indexed and made available to the public at the Manufactured Housing Standards Division and a copy of the index shall be published periodically in the Federal Register.

Subpart E—Manufacturer Inspection and Certification Requirements

11. Section 3282.205 is amended by revising paragraphs (a), (c), and (d), to read as follows:

§ 3282.205 Certification requirements.

(a) Every manufacturer shall make a record of the serial number of each manufactured home produced, and a duly authorized representative of the manufacturer shall certify that each manufactured home has been constructed in accordance with the Federal standards. The manufacturer shall furnish a copy of that certification to the IPIA for the purpose of determining which manufactured homes are subject to the notification and correction requirements of subpart I of this part.

* * * * *

(c) Every manufacturer of manufactured homes shall furnish to the dealer or distributor of each of its manufactured homes a certification that such manufactured home, to the best of the manufacturer's knowledge and belief, conforms to all applicable Federal construction and safety standards. This certification shall be in the form of the label provided by the IPIA under § 3282.362(c)(2). The label shall be affixed only at the end of the last stage of production of the manufactured home.

(d) The manufacturer shall apply a label required or allowed by the regulations in this part only to a manufactured home that the manufacturer knows by its inspections to be in compliance with the standards.

12. Section 3282.206 is amended in paragraph (b) by capitalizing the word "Extraordinary", and by revising paragraph (c) to read as follows:

§ 3282.206 Disagreement with IPIA or DAPIA.

* * * * *

(c) The DAPIA or IPIA otherwise resolves the disagreement.

13. Section 3282.207 is revised to read as follows:

§ 3282.207 Manufactured home consumer manual requirements.

(a) The manufacturer shall provide a consumer manual with each manufactured home that enters the first stage of production on or after July 31, 1977, pursuant to section 617 of the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5416.

(b) The manufacturer shall provide the consumer manual by placing a manual in each such manufactured home before the manufactured home

leaves the manufacturing plant. The manual shall be placed in a conspicuous location in a manner likely to assure that it is not removed until the purchaser removes it.

(c) If a manufacturer is informed that a purchaser did not receive a consumer manual, the manufacturer shall provide the appropriate manual to the purchaser within 30 days of being so informed.

(d) No dealer or distributor may interfere with the distribution of the consumer manual. When necessary, the dealer or distributor shall take any appropriate steps to assure that the purchaser receives a consumer manual from the manufacturer.

(e) If a consumer manual or a change or revision to a manual does not substantially comply with the guidelines issued by HUD, the manufacturer shall cease distribution of the consumer manual and shall provide a corrected manual for each manufactured home for which the inadequate or incorrect manual or revision was provided. A manual substantially complies with the guidelines if it presents current material on each of the subjects covered in the guidelines in sufficient detail to inform consumers about the operation, maintenance, and repair of the manufactured home. An updated copy of guidelines published in the Federal Register on March 15, 1996 can be obtained by contacting the Office of Manufactured Housing and Regulatory Functions, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C., 20410; the Information Center, Department of Housing and Urban Development, Room 1202, 451 Seventh Street, S.W., Washington, D.C., 20410; or any HUD Area or State Office.

Subpart G—State Administrative Agencies

14. Section 3282.302(e) is revised to read as follows:

§ 3282.302 State plan.

* * * * *

(e) *Exclusive IPIA status.* (1) A State that wishes to act as an exclusive IPIA under § 3282.352 shall so indicate in its State Plan and shall include in the information provided under paragraph (b)(11) of this section the fee schedule for the State's activities as an IPIA and the relationship between the proposed fees and the other information provided under paragraph (b)(11) of this section. If the Secretary determines that the fees to be charged by a State acting as an

IPIA are unreasonable, the Secretary shall not grant the State status as an exclusive IPIA.

(2) The State shall also demonstrate in its State Plan that it has the present capability to act as an IPIA for all plants operating in the State.

Subpart H—Primary Inspection Agencies

15. Section 3282.352(c) is revised to read as follows:

§ 3282.352 State exclusive IPIA functions.
* * * * *

(c) A State's status as an exclusive IPIA shall commence upon approval of the State Plan Application and acceptance of the State's submission under § 3282.355. Where a private organization accepted or provisionally accepted as an IPIA under this subpart H is operating in a manufacturing plant within the State on the date the State's status as an exclusive IPIA commences, the private organization may provide IPIA services in that plant for 90 days after that date.

§ 3282.353 [Amended]

16. Section 3282.353 is amended by:
a. Adding the word "and" at the end of paragraph (a)(6);
b. Removing the phrase "; and" at the end of paragraph (a)(7), and adding in their place a period; and
c. Removing paragraphs (a)(8) and (f).

§ 3282.355 [Amended]

17. Section 3282.355 is amended by removing paragraph (b) and redesignating paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

§ 3282.361 [Amended]

18. Section 3282.361 is amended by removing paragraph (d) and redesignating paragraph (e) as paragraph (d).

19. Section 3282.362 is amended by:
a. Removing paragraph (b)(5); and
b. Revising paragraphs (c)(2)(i)(B) and (C) and the introductory text of paragraph (c)(2)(ii), to read as follows:

§ 3282.362 Production Inspection Primary Inspection Agencies (IPIAs).
* * * * *

- (c) * * *
- (2) * * *
- (i) * * *

(B) A permanent label shall be affixed to each transportable section of each manufactured home for sale or lease to a purchaser or lessor in the United States in such a manner that removal will damage the label so that it cannot be reused. This label is provided by the IPIA and is separate and distinct from

the data plate that the manufacturer is required to provide under § 3280.5.

(C) The label shall read as follows:

As evidenced by this label No. ABC 000 001, the manufacturer certifies to the best of the manufacturer's knowledge and belief that this manufactured home has been inspected in accordance with the requirements of the Department of Housing and Urban Development and is constructed in conformance with the Federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture. See data plate.

* * * * *

(ii) *Label control.* The labels used in each plant shall be under the direct control of the IPIA acting in that plant. Only the IPIA shall provide the labels to the manufacturer. The IPIA shall assure that the manufacturer does not use any other label to indicate conformance to the standards.

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PART 3283—[REMOVED]

20. Part 3283 is removed.

Dated: March 4, 1996.

Nicolas P. Retsinas,
Assistant Secretary for Housing-Federal Housing Commissioner.

[Note. The following guide will not be codified in the Code of Federal Regulations.]

U.S. Department of Housing and Urban Development
Manufactured Home Consumer Manual Guide

A. General

1. Scope

These guidelines set out the requirements that shall be met by manufactured home manufacturers and dealers in order to assure that consumer manuals containing appropriate information are provided to manufactured home purchasers as required by section 617 of the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5416. This section sets out the definitions applicable to the guidelines.

2. Definitions

(a) *Anchor* means to secure to the ground by straps, cables, turn buckles, chains, ties, or other devices designed to prevent the manufactured home from being unstable in high winds or other conditions that might cause an unsecured home to overturn or otherwise suffer damage because it is not adequately secured to the ground.

(b) *Component* means any part, material or appliance which is built in as an integral part of the manufactured home during the manufacturing process.

(c) *Condensation* means the process of reducing a gas or vapor to a liquid form

which is evidenced in a manufactured home by the accumulation of moisture on windows and other surfaces.

(d) *Consumer manual* means a document or series of documents included in a package that substantially complies with the guideline set out in section C of these guidelines.

(e) *Dealer* means any person engaged in the sale, leasing or distribution of new manufactured homes primarily to persons who, in good faith, purchase or lease a manufactured home for purposes other than resale.

(f) *Diagram* means a drawing or plan that outlines and explains the parts and operation of a major system in the manufactured home, such as the plumbing, electrical, heating, cooling and ventilating systems.

(g) *Distributor* means any person engaged in the sale and distribution of manufactured homes for resale.

(h) *Federal Manufactured Home Construction and Safety Standard* means a reasonable standard for the construction, design and performance of a manufactured home which meets the needs of the public, including the need for quality, durability and safety.

(i) *Major systems* means those functional units that are supplied with the manufactured home during the manufacturing process and includes the structural, electrical, plumbing and heating and cooling systems of the manufactured home.

(j) *Manufacturer* means any person engaged in manufacturing or assembling manufactured homes, including any person engaged in importing manufactured homes for resale, except that it does not include a person engaged in manufacturing modular homes that are exempt from the Federal Manufactured Home Construction and Safety Standards under 24 CFR 3280.7.

(k) *Manufactured home* means as the term is defined in 24 CFR 3280.2.

(l) *Purchaser* means the first person purchasing a manufactured home in good faith for purposes other than resale.

(m) *Written warranty* means: (1) Any written affirmation of fact or written promise made in connection with the sale of a consumer product by a supplier to a buyer which relates to the nature of the material or workmanship and affirms or promises that such material or workmanship is defect free or will meet a specified level of performance over a specified period of time; or (2) any undertaking in writing in connection with the sale by a supplier of a consumer product to refund, repair, replace, or take other remedial action with respect to such product in the event that such product fails to meet the

specifications set forth in the undertaking, which written affirmation, promise or undertaking becomes part of the basis of the bargain between a supplier and a buyer for purposes other than resale of such product.

3. Manual Requirement; Effective Date

A consumer manual must be provided with each manufactured home that enters into the first stage of production on or after July 31, 1977, pursuant to 24 CFR 3282.207 of the Manufactured Home Procedural and Enforcement Regulations. The manual shall be provided as set out in section B of these guidelines.

B. Distribution and Adequacy of the Manual

1. Scope

This section sets out the manner in which consumer manuals are to be provided to consumers and procedures for assuring that consumer manuals are correctly distributed. It also sets out requirements to be met by manufacturers if manuals are found to be inadequate.

2. Manual Distribution

(a) Each manufacturer shall provide a consumer manual with each manufactured home that enters the first stage of production on or after July 31, 1977, by placing a manual in each such manufactured home before the manufactured home leaves the manufacturing plant. The manual shall be placed in a conspicuous location in a manner likely to assure that it is not removed until the purchaser removes it.

(b) If a manufacturer is informed that a purchaser did not receive a consumer manual, the manufacturer shall provide the appropriate manual to the purchaser within 30 days of being so informed.

(c) No dealer or distributor may interfere with the distribution of the consumer manuals. Where necessary, the dealer or distributor shall take any appropriate steps to assure that the purchaser receives a consumer manual from the manufacturer.

3. Inadequate Consumer Manuals

If a consumer manual or a change or revision to a manual does not substantially comply with section C, the manufacturer shall cease distribution of the consumer manual and shall provide a corrected manual for each manufactured home, for which the inadequate or incorrect manual or revision was provided. A manual substantially complies with section C if it presents current material on each of the subjects covered in section C in sufficient detail to inform consumers

about the operation, maintenance, and repair of the manufactured home.

C. Guidelines

1. Scope and Purpose

(a) The purpose of this section is to provide guidelines to manufacturers which will assure that manufactured home consumers are given information concerning proper home maintenance, avoidance of potential safety hazards, and remedies which may be available under the Act.

(b) No precise format is required. The information may be offered in a single document or in several documents, all of which are part of a single package. The information shall be presented in a clear and understandable manner and an index should be prepared so that consumers can readily locate any information provided as part of the package.

2. Statements About the Act and Its Protections

(a) The manual should include an explanation of the National Manufactured Housing Construction and Safety Standards Act and of the Federal manufactured home construction and safety standards. The explanation should discuss the protections offered by the standards, the limitations of the standards and the remedies available to the consumer under the Act. The explanation should use the following language or its equivalent:

The National Manufactured Housing Construction and Safety Standards Act of 1974 was enacted to improve the quality and durability of manufactured homes and to reduce the number of injuries and deaths caused by manufactured home accidents. The Federal manufactured home construction and safety standards issued under the Act govern how manufactured homes must be constructed. Your manufactured home was manufactured to the standards. The standards cover the planning and construction of your home. They were developed so that you would have a safe, durable home. The standards do not cover such aspects of the manufactured home as furniture, carpeting, certain appliances, cosmetic features of the home and additional rooms or sections of the home that you have added. The Act provides that if for some reason your manufactured home is found not to meet the standard or to contain safety hazards, the manufacturer of the manufactured home must notify you of that fact. In some cases where there is a safety hazard involved, the Act requires the manufacturer to correct

the manufactured home at no cost to you or to replace the home or refund all or a percentage of the purchase price. If you believe you have a problem for which the Act provides a remedy, you should contact the manufacturer, the manufactured home agency in your state (see the list on page of this manual), or the Department of Housing and Urban Development. Our address is (state the manufacturer's address). We recommend that you contact us first, because that is the quickest way to have your complaint considered.

(b) The manual should state the location of the data plate and should explain the significance of all the information printed on it, particularly the significance of the zone information and the wind and roof load maps.

(c) The manual should include a list of the State Administrative Agencies (SAAs) that have been approved or conditionally approved under 24 CFR 3282.305 of the Manufactured Home Procedural and Enforcement Regulations. The list should include all SAAs listed in this section as of the date the manual or revision is prepared for printing. Manufacturers may contact HUD for any update to the SAA list that appears in this section by sending a stamped, self-addressed envelope to: List Control, Office of Manufactured Housing and Regulatory Functions, Room 4224, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000.

The following States have been approved or conditionally approved to act as SAAs:

State, Agency Name, Address and Telephone Number

- Alabama—Alabama Manufactured Housing Commission, 908 South Hull Street, Montgomery, AL 36130-3401, (205) 261-4036
- Arizona—Office of Manufactured Housing, 801 E. Jefferson, Suite 202, Phoenix, AZ 85034, (602) 255-4072
- Arkansas—Manufactured Home Commission, 1022 High Street, Suite #505, Little Rock, AR 72202, (501) 371-1641
- California—Manufactured Housing Section, Division of Codes & Standards, Department of Housing and Community Development, P.O. Box 31, Sacramento, CA 95801, (916) 323-9803
- Colorado—Division of Housing, Department of Local Affairs, 1313 Sherman Street, Room 419, Denver, CO 80203, (303) 866-2033
- Florida—Department of Highway Safety and Motor Vehicles, Division of Motor Vehicles, Neil Kirkman Building,

- Room A 129, 2900 Apalachee Parkway, Tallahassee, FL 32301-8209, (904) 488-7657
- Georgia—State Fire Marshal's Office, Manufactured Homes Division, 620 West Tower, No. 2 Martin Luther King, Jr. Drive, Atlanta, GA 30334, (404) 656-2064
- Idaho—Department of Labor and Industrial Service, 277 North Sixth Street, Boise, ID 83720, (208) 334-3896
- Indiana—Department of Fire Prevention and Building Safety, Industrialized Building Systems/Code Enforcement Div., 1099 N. Meridian Street, Suite 900, Indianapolis, IN 46204, (317) 232-1405
- Iowa—Building Code Bureau, Division of the State Fire Marshall, Department of Public Safety, Wallace State Office Building, Des Moines, IA 50319, (515) 281-3807
- Kentucky—Department of Housing, Building and Construction, U.S. 127 South Building, Frankfort, KY 40601, (502) 564-3626
- Louisiana—Mobile Home Division, 1033 North Lobbell Avenue, Baton Rouge, LA 70806, (504) 925-4911
- Maine—Manufactured Housing Board, Department of Professional and Financial Regulation, State House Station 32, Augusta, ME 04333, (207) 289-2955
- Maryland—Building Codes Administration—DECD, Department of Economic and Community Development, 45 Calvert Street, Annapolis, MD 21401, (301) 974-2701
- Michigan—Department of Commerce, Mobile Home Division, Corporation & Securities Bureau, 6546 Mercantile Way, P.O. Box 30222, Lansing, MI 48909, (517) 334-6203
- Minnesota—Department of Administration, Building Codes and Standards Division, 408 Metro Square Building, 7th and Robert Streets, St. Paul, MN 55101, (612) 296-4628
- Mississippi—Office of the Fire Marshall, 416 Woolfolk Building, P.O. Box 22542, Jackson, MS 39205-2542, (601) 359-1061
- Missouri—Public Service Commission, Mobile Homes and Recreational Vehicles Division, P.O. Box 360, Jefferson City, MO 65102, (314) 751-7119
- Nebraska—Department of Health, Division of Housing and Environmental Health, 301 Centennial Mall South, P.O. Box 95007, Lincoln, NE 68509, (402) 471-2541
- Nevada—Manufactured Housing Division, Nevada Department of Commerce, Capitol Complex, Carson City, NV 89710, (702) 885-4298
- New Jersey—Department of Community Affairs, Division of Housing and Development—BCCE, CN 805 Manufactured Housing Construction, Trenton, NJ 08625-0804, (609) 292-7142
- New Mexico—Regulation and Licensing Department, Manufactured Housing Division, Santa Fe, NM 87503, (505) 827-6340
- New York—Housing and Building Codes Bureau, Division of Housing and Community Renewal, One Fordham Plaza, Bronx, NY, 10458, (212) 519-5273 (Kessner); (212) 488-4910 (Jordan)
- North Carolina—Department of Commerce, Council, Boards & Government Relations Division, P.O. Box 26307, Raleigh, NC 27611, (919) 733-3901
- Oregon—Department of Commerce, Building Codes Division, MHRV Section, 401 Labor and Industries Building, Salem, OR 97310, (503) 378-8451
- Pennsylvania—Division of Manufactured Housing, Department of Community Affairs, Room 509, Forum Building, Harrisburg, PA 17120, (717) 787-9682
- Rhode Island—Department of Community Affairs, Building Commission, 1270 Mineral Spring Avenue, North Providence, RI 02904, (401) 277-3033
- South Carolina—Manufactured Housing Section, Budget and Control Board, Division of General Services, 300 Gervais Street, Columbia, SC 29201, (803) 758-5378
- South Dakota—Department of Commerce and Regulation, Commercial Inspection, 118 W. Capitol, Pierre, SD 57501, (605) 773-3697
- Tennessee—Department of Commerce and Insurance, Division of Fire Prevention, 1808 West End Building, Suite 500, Nashville, TN 37219-5319, (615) 741-7170
- Texas—Texas Department of Labor and Standards, P.O. Box 12157, Austin, TX 78711, (512) 463-5520
- Utah—Department of Business Regulation, Contractors Division—MH & RV, P.O. Box 45802, Salt Lake City, UT 84145, (801) 530-6727
- Virginia—Division of Building Regulatory Services, Department of Housing and Community Development, 205 N. 4th Street, Room M-4, Richmond, VA 23219, (804) 786-4846
- Washington—Department of Labor and Industries, Construction Compliance Inspection, 520 S. Water Street, Olympia, WA 98504, (206) 586-0215
- Wisconsin—Department of Industry, Labor and Human Relations, Safety and Building Division, P.O. Box 7969, Madison, WI 53707, (608) 266-1748 or (608) 267-7935 (Turner)

(d) The manual should state that the Department of Housing and Urban Development (HUD) is the Federal agency administering the Act and that any questions concerning the Act or a consumer's rights under the Act should be directed to HUD. The manual should advise consumers that in order to contact HUD, they should refer to the Department of Housing and Urban Development under listings for the U.S. Government in their telephone book. In calling or writing the local HUD office, consumers should be directed to address their inquiry or call to the "Consumer Complaint Officer" in their local HUD or FHA Office. Consumers should be advised that they may contact the Central HUD Office directly by writing or calling the Office of Manufactured Housing and Regulatory Functions, Compliance Branch, telephone (202) 755-6920 or (202) 755-6584. (These are not toll-free numbers.)

3. Written Warranties

(a) The manual should state whether or not the manufacturer provides a written warranty covering the manufactured home. If the manufacturer provides written warranty, the manual should explain in clear and understandable language what protections the warranty provides and how the consumer can obtain service under the warranty. The manual should specifically and clearly describe:

(1) What repairs the manufacturer will pay for under the warranty and what repairs, if any, the manufacturer will not pay for;

(2) How long the warranty protection lasts;

(3) What the consumer must do to maintain warranty protections, including any services that the consumer must obtain or provide at the consumer's expense;

(4) What actions or conditions could void the warranty; and

(5) Exactly what steps the consumer should take to obtain warranty service, including any informal dispute settlement procedures offered by the manufacturer prior to pursuit of legal remedies.

(b) The manual should state what appliances, components or other aspects of the manufactured home are not covered by the manufacturer's written warranty and identify any warranty certificates which have been provided for any of these items.

(c) Compliance with paragraph (a) of this section may be obtained by including, as a document of the consumer manual, the manufacturer's written warranty statement that meets the requirements issued by the Federal Trade Commission under the Magnuson-Moss Warranty Federal Trade Commission Improvement Act, 15 U.S.C. 2301 et seq. (Magnuson-Moss). However, this section is not to be construed as governing the making or content of written warranties on manufactured homes. Any such written warranties must comply with the Magnuson-Moss requirements.

4. Setting Up and Anchoring the Manufactured Home

(a) The manual should include an explanation of procedures recommended to be followed in setting up the manufactured home. The explanation should include: (1) Site preparation procedures; (2) the types of foundations for which the home was designed; (3) procedures for leveling the home; (4) procedures for connecting the utilities; and (5) suggested anchoring procedures for wind-upset and sliding. If practicable, the manual should include a list of sources the consumer may contact to obtain set-up and anchoring services. The manual should advise the consumer of the differing requirements for manufactured homes located in "hurricane" and "non hurricane" wind zones.

(b) The manual should include a recommendation that the home be professionally inspected after it is set up to assure that it has not been damaged in transit and is properly set up.

5. Safety

(a) Fire safety. The manual should state the location of the following safety features required by the standards and

explain how they are operated: (1) Smoke detectors; (2) exit doors and bedroom egress windows; and (3) any other emergency escape systems.

(b) Wind safety. The manual should state that in order for the manufactured home to be secure against high winds, it should be anchored to the ground. The manual should caution the owner that if the manufactured home is not properly anchored, it is highly susceptible to wind damage when high wind conditions occur.

(c) Systems safety. The manual should explain how the electric, plumbing, and heating systems of the manufactured home may be rendered unsafe through improper use or treatment and what hazards may result. The manual should state the location and purpose of utility shut-off valves and switches and how they should be used to prevent hazards.

6. Maintenance

(a) The manual should contain a detailed explanation of how the consumer should care for the manufactured home, including a simple maintenance and inspection chart that can be used as a checklist by the consumer. The explanation should describe any aspects of operation and maintenance that are unique to manufactured homes, and it should emphasize that the consumer is responsible for adequate maintenance. The explanation should include a list of components, appliances or major systems for which an operational manual or instructions were provided by the manufacturer of the item and a statement that the consumer should make sure that those manuals or instructions were provided with the manufactured home.

(b) The manual should discuss the possible consequences of inadequate maintenance or faulty operation. In

particular, the manual should discuss problems which may arise from condensation or from inadequate insulation of the piping in the manufactured home and how those problems can be avoided.

(c) The manual should state the maintenance and repair procedures or types of procedures for which specialized knowledge or skills are required.

(d) The manual should state how the purchaser can obtain diagrams of the structural, electrical, plumbing and heating, cooling and transportation systems.

7. Relocating the Manufactured Home

The manual should identify and explain the factors that the consumer should take into account whenever the manufactured home may be relocated. These should include weight and balance considerations; securing of appliances, furniture, etc.; and recommended conditions of the manufactured home's transportation system (e.g., tires, brakes, axles, wheels, rims, coupling mechanisms). It should recommend that the owner seek professional assistance whenever considering relocating the home.

8. Insurance

The manufacturer should recommend that owners of manufactured homes consider acquiring adequate and appropriate insurance. Manufacturers should also advise consumers to contact an insurance company of their choice to obtain information on the types of insurance coverage available and should suggest factors to be considered.

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